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09/651,771	08/30/2000	Young-Soo Park	P2041	2437

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EXAMINER

BEAMER, TEMICA M

ART UNIT PAPER NUMBER

2681

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/651,771

Applicant(s)

PARK, YOUNG-SOO

Examiner

Temica M. Beamer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/30/2004 have been fully considered but they are not persuasive. Regarding claims 7 and 8, applicant argues that the "tariff data" described in Lautenschlager is not synonymous to the claimed "telephone charge". The examiner, however, would like to point out that the claims only require that **a** telephone charge be determined. In this case "tariff data" is being considered by the examiner as a telephone charge. Further, Lautenschlager specifically calls the tariff data a "charge" (col. 2, lines 44-53).

Therefore, based on the broad term "telephone charge", Lautenschlager does reasonably disclose the claimed invention as presently claimed.

Regarding claim 9, "a latest call" is being interpreted as the most recent call (i.e., the call the user is presently requesting).

Regarding claims 1-5, the applicant argues that Rahman fails to disclose **informing** the calculated telephone charge to the mobile exchange. The examiner, however, disagrees. As stated in the previous office action, the RNC is the communication exchange. Rahman teaches that the RNC can be either co-located within the MSC or located remote from the MSC (col. 7, lines 4-6) (please note that the charging unit is within the MSC or remote from the MSC: col. 7, lines 23-33). Thus, when the systems are co-located, the systems together can be said to be the mobile

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exchange, the charging center and the MSC. In that embodiment, the exchange is informed of the calculated charge determined by the charging unit (col. 7, lines 23-57).

Regarding the Linkola reference, the examiner has used the priority data, PCT filed 6/15/1998 (as disclosed in the Linkola, U.S. Patent No. 6,516,190 reference) to reject claim 6. An English translation of the PCT is being provided.

Based on the above remarks, the rejection stands as set forth below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Lautenschlager et al (Lautenschlager), U.S. Patent No. 6,104,792.

Regarding claim 7, Lautenschlager discloses requesting, by a mobile terminal subscriber, a telephone charge to a mobile communication exchange (SSP1) (col. 5, lines 3-5), upon receiving the telephone charge request, requesting by the exchange, the telephone charge for the mobile terminal to a charging center (col. 5, lines 8-21), informing by the charging center, the telephone charge to the exchange (IP1 which is in the SSP1, col. 4, lines 43-45) (col. 5, lines 21-24), and transmitting, by the

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exchange, the telephone charge received from the charging center inherently via a base station (col. 3, lines 60-63) in communication with the mobile terminal (col. 5, lines 24-27).

Regarding claim 8, Lautenschlager discloses the method as claimed in claim 7, wherein the mobile terminal requests the telephone charge during a standby state (i.e., before call connection) (col. 5, lines 3-12).

Regarding claim 9, Lautenschlager discloses the method as claimed in claim 7, wherein the charge includes at least one of a telephone charge for a latest call, an accumulated telephone charge, and a total telephone charge (as evidenced by the fact that the tariff information is the charge of the desired connection (col. 5, lines 18-21, lines 38-40).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rahman, U.S. Patent No. 6,061,556 in view of Granberg, U.S. Patent No. 6,195,543.

Regarding claim Rahman discloses detecting, by mobile communication exchange (RNC), a termination of a telephone call of a mobile terminal (col. 7, lines

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38-47), providing by the exchange, charging information (secondary traffic information) responsive to the telephone call (col. 7, lines 44-48); informing by the exchange, the charging information to a charging center (col. 7, lines 23-27, col. 7, lines 53-55), calculating, by the charging center, the telephone charge using the charging information received from the exchange (col. 7, lines 55-67), and informing the calculated telephone charge to the exchange (inherently in the embodiment when the RNC, the MSC and the charging unit are co-located as shown in col. 4, lines 1-6 and col. 7, lines 23-26).

Rahman further discloses wherein the MSC/charging unit communicates with mobile units via communication links (col. 4, lines 39-41). Rahman, however, fails to disclose wherein the charge information is transmitted via a base station to the mobile terminal.

In a similar field of endeavor, Granberg discloses a method and apparatus for providing advice of charge parameters for mobile radio telephone calls. Granberg further discloses wherein charging information can be transmitted from an MSC via a base station to a mobile terminal (col. 5, line 67-col. 6, line 2; figure 3).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Rahman with the teachings of Granberg for the purpose of allowing a subscriber to immediately know how much a call is going to cost, instead of the caller having to wait to receive a bill for the call.

Regarding claim 2, the combination of Rahman and Granberg discloses the method as claimed in claim 1, wherein the telephone charge represents a telephone

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service charge related to the telephone call made within a specified time period (Granberg, col. 5, lines 56-60).

Regarding claim 3, the combination of Rahman and Granberg discloses the method as claimed in claim 1, wherein the telephone charge is at least one amongst a telephone charge for a latest call, an accumulated telephone charge, and a total telephone charge selected by the mobile terminal subscriber (Granberg, col. 5, line 66-col. 6, line 2).

Regarding claim 4, the combination of Rahman and Granberg discloses the method as claimed in claim 1, wherein the charging information includes the number of the mobile terminal, a terminating party number, a call start time information, a call termination time information and different billing qualification information (Granberg, col. 5, lines 56-60).

Regarding claim 5, the combination of Rahman and Granberg discloses the method as claimed in claim 1, further comprising the step of receiving, upon receiving the telephone charge information by the mobile terminal, displaying the telephone charge information in a display unit of the mobile terminal (Granberg, col. 5, line 66-col. 6, line 2).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rahman, Granberg and further in view of Linkola, (WO) PCT/FI98/00515.

Regarding claim 6, Rahman discloses detecting, by mobile communication exchange (RNC), a termination of a telephone call of a mobile terminal (col. 7, lines

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38-47), providing by the exchange, charging information (secondary traffic information) responsive to the telephone call (col. 7, lines 44-48); informing by the exchange, the charging information to a charging center (col. 7, lines 23-27, col. 7, lines 53-55), calculating, by the charging center, the telephone charge using the charging information received from the exchange (col. 7, lines 55-67), and informing the calculated telephone charge to the exchange (inherently in the embodiment when the RNC, the MSC and the charging unit are co-located as shown in col. 4, lines 1-6 and col. 7, lines 23-26).

Rahman further discloses wherein the MSC/charging unit communicates with mobile units via communication links (col. 4, lines 39-41). Rahman, however, fails to disclose wherein the charge information is transmitted via a base station to the mobile terminal.

In a similar field of endeavor, Granberg discloses a method and apparatus for providing advice of charge parameters for mobile radio telephone calls. Granberg further discloses wherein charging information can be transmitted from an MSC via a base station to a mobile terminal (col. 5, line 67-col. 6, line 2; figure 3).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Rahman with the teachings of Granberg for the purpose of allowing a subscriber to immediately know how much a call is going to cost, instead of the caller having to wait to receive a bill for the call.

The combination of Rahman and Granberg fails to disclose wherein the telephone charge information is in the form of a short message.

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In a similar field of endeavor, Linkola discloses a charging method in a mobile telecommunications system. Linkola further discloses sending billing information to a mobile terminal using a short message (page 10, paragraph 6).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the combination of Rahman and Granberg with the teachings of Linkola since it is known in the art that mobile terminals can receive information through various means, including by short message as shown.

7. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lautenschlager in view of Granberg.

Regarding claim 10, Lautenschlager discloses the method as claimed in claim 7 as described above. Lautenschlager, however, fails to disclose wherein the mobile terminal requests the telephone charge up to now. Granberg discloses this limitation (accumulated charge information) (col. 5, line 56-col. 6, line 2).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Lautenschlager with the teachings of Granberg for the purpose of letting the user of the phone know there current charge for a call.

Regarding claim 11, the combination of Lautenschlager and Granberg discloses the method of claim 10 wherein the mobile terminal requests the telephone charge during a standby state (Lautenschlager, col. 5, lines 3-12, Granberg, col. 5, lines 38-55).

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Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

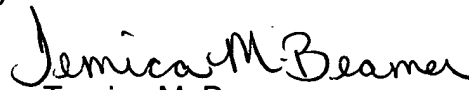
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (703) 306-5837. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (703) 306-0003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Temica M. Beamer
Primary Examiner
Art Unit 2681

2/22/2005